

REMARKS

1. Claim 18 has been amended to convert it into a method-of-producing claim. Claims 20, 21, 22, 37, 41 and 43 have been amended so that they are no longer dependent on 18.

2. Claims 18 and 20-22 stand rejected over Sumitomo, who shows a mouse monoclonal antibody against MASP-1. The Examiner has argued that claim 18 is broad enough to read on anti-MASP-1 antibody, as MASP-1 and MASP-2 could share epitopes.

Claim 18 has been rewritten as a method claim which requires immunization of the antibody-producing animal with MASP-2. Since Sumitomo did not use MASP-2, and indeed had no inkling that MASP-2 existed, he cannot render claim 18 anticipated or obvious.

Claims 20-22 were apparently rejected solely because of their dependency on claim 18. This dependency has now been removed.

3. Claims 37, 41 and 43 stand rejected for insufficient enablement. The Examiner argues that these claims are dependent on 18, and 18 as examined could read on an anti-(MASP-1) antibody. The claims have been amended to remove dependency on 18. Claim 19 requires an antibody which specifically binds human MASP-2.

4. The Examiner states that parent application 09/054,218 has been lost, and hence the nonpatent references listed in the June 4, 2001 IDS, and available originally in the file wrapper of 09/054,218, have not been considered.¹

¹ The June 4, 2001 IDS cited references AA-AK, BA-BN and CA-CI. They therefore should have been considered when the May 27, 2003 office action was prepared.

USSN - 09/874,238

Ref. AA is a patent reference. Counsel encloses replacement copies of refs. AB-AK, BA-BN and CA-CI, and requests consideration of the June 4, 2001 IDS.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.
Attorneys for Applicant

By: 

Iwer P. Cooper
Reg. No. 28,005

Enclosures

-Refs. AB-AK, BA-BN and CA-CI

624 Ninth Street, N.W.
Washington, D.C. 20001
Telephone: (202) 628-5197
Facsimile: (202) 737-3528
IPC:lms
G:\ipc\g-i\hoib\Jensenius3B\pto amendment3.wpd